

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JAN 4 1999

Mr. Chris Stella  
Compliance Manager  
Full Circle, Inc.  
509 Manida Street  
Bronx, NY 10474

Dear Mr. Stella:

This responds to letters you sent to EPA's Regional Offices regarding written responses to questions about recycling fluorescent light ballasts containing polychlorinated biphenyls (PCBs). Our Regional Offices have forwarded those letters to me for response.

Your letters ask the following questions:

1. If the PCB potting material in a fluorescent lighting ballast exceeds 50 ppm, does the ballast need to be handled as a PCB bulk product TSCA waste?
  - A. 40 CFR 761.60(b)(6)(iii) states "Fluorescent light ballasts containing PCBs in their potting material must be disposed of in a TSCA-approved facility, as bulk product waste under §761.62, as household waste under §761.63 (where applicable), or in accordance with the decontamination provisions of §761.79.
2. Should a generator assume the potting material in a fluorescent lighting ballast has PCBs over 50 ppm?
  - A. The PCB regulations do not require a generator to make assumptions regarding the PCB concentration in potting material in fluorescent light ballasts manufactured prior to July 1978. However, data submitted in connection with a citizen's petition under §21 of TSCA, of which your firm was a party, indicated that more than 50 percent of ballasts manufactured prior to July of 1978 contain PCBs at concentrations of 50 ppm or greater in their potting material. Since TSCA is a strict liability statute, if a generator disposes of ballasts as if they contain <50 ppm PCBs and the ballasts are later found to contain PCBs at concentrations of  $\geq$  50 ppm in the potting material, the generator may be charged with a violation for improper disposal.

## CONCURRENCES

SYMBOL	7404	7404						
SURNAME	<i>DeHannemann</i>	<i>BJ</i>						
DATE	04 Jan 99	1/4/99						

EPA Form 1320-1A (1/90)

Printed on Recycled Paper

OFFICIAL FILE COPY

DHannemann:dh/OPPT-NPCD-FOB/04January1999/7404/260-3961/ET8351:C:\WP\Letter\fulcircl.wpd  
 File:FOB:CHRON-READING;AUTHOR:/Ltr. to Mr. Chris Stella, Full Circle, Bronx, NY/RE: Fluorescent light ballast  
 potting material over 50 ppm, PCB commercial storage approval, 500 liquid gallons, 70 cubic feet

3. How would a generator determine the level of potting material if they do not assume it is greater than 50 ppm?
  - A. All ballasts manufactured between July, 1978 and July, 1998 are required to bear a "No PCB" label indicating that they do not contain PCBs. Ballasts bearing this label need not be treated as PCB waste. For ballasts not bearing the label, the generator has several options. The generator may consider that all ballasts manufactured prior to July, 1978 contain PCBs at concentrations of 50 ppm or greater and dispose of them as PCB bulk product waste, or the generator can test the potting material in every ballast to determine its PCB concentration.
4. Does a company need a commercial storage permit to recycle ballasts that contain PCB potting material greater than 50 ppm?
  - A. Yes. Any owner or operator of a facility storing more than 500 liquid gallons or 70 cubic feet of PCB waste that is generated by others meets the definition of "commercial storer of PCB waste" under §761.3 and must obtain an approval as a commercial storer of PCB waste under §761.65(d).
5. Under the decontamination standards of 761.79, how frequent must the metals be wipe tested?
  - A. The decontamination standard for non-porous surfaces in contact with non-liquid PCBs, e.g. fluorescent light ballast potting material, is found at §761.79(b)(3)(i)(B) and is a visual standard, confirmatory testing is not required. If you choose to use a decontamination method which requires a wipe sample, you can do so under §761.79(h) after first obtaining written approval from the EPA Regional Administrator in the Region where the activity would occur.
6. How long must these tests be saved?
  - A. The NACE standard requires visual inspection of a cleaned surface. Records of these inspections must be maintained for 3 years from the date decontamination occurred (see §761.79(f)). The conditions laid out in an approval obtained pursuant to §761.79(h) will determine how long records of wipe sample results must be retained.

If you have any additional questions or require additional clarification of the above answers, please contact David Hannemann of my staff at (202) 260-3961.

Sincerely,

John W. Melone, Director  
National Program Chemicals Division

cc: Regional PCB Coordinators



# FULL CIRCLE, INC.

*An Environmental Technologies Company*

*Corporate Office:*

509 Manida Street  
Bronx, NY 10474

Phone:  
(800) 775-1516  
(718) 328-4667

Fax:  
(718) 328-4462

Email:  
[fullcircle@evtc.com](mailto:fullcircle@evtc.com)

Web Site:  
<http://www.evtc.com>

November 2, 1998

Mr. Tony Baney  
USEPA  
401 M Street SW  
Washington, DC 20460

Re: PCB Mega Rule

Dear Mr. Baney:

I would greatly appreciate if you could respond to the following questions in writing regarding PCB ballast recycling:

- If the PCB potting material in a fluorescent lighting ballast exceeds 50 ppm, does the ballast need to be handled as a PCB bulk product TSCA waste?
- Should a generator assume the potting material in a fluorescent lighting ballast has PCBs over 50 ppm?
- How would a generator determine the level of potting material if they do not assume it is greater than 50 ppm?
- Does a company need a commercial storage permit to recycle ballasts that contain PCB potting material greater than 50 ppm?
- Under the decontamination standards of section 761.79, how frequent must the metals be wipe tested?
- How long must these tests be saved?

I greatly appreciate your time and consideration. If you have any questions, do not hesitate to call me at (718) 328-4667. Thank you very much.

Sincerely,

Chris Stella  
Compliance Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Brian

DEC 01 1998

Chris Stella  
Full Circle, Inc.  
509 Manida Street  
Bronx, NY 10474

Re: Response to letter 'Re: PCB Mega Rule' dated November 2, 1998

Dear Mr. Stella,

We have received your letter requesting a written response to your six specific questions regarding PCB ballast recycling. We would like to inform you that your query has been forwarded to Dave Hannemann of the U.S. Environmental Protection Agency Office of Prevention, Pesticides and Toxic Substances in Washington, DC. If you should have any further questions regarding your request, please contact either Mr. Hannemann at 202-260-3961 or Max Weintraub of the Region IX PCB Program at 415-744-1129.

Sincerely,

*Paula Bisson*

Paula Bisson, Chief  
Toxics Section  
Cross Media Division

cc: Dave Hannemann, OPPTS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

JOHN F. KENNEDY FEDERAL BUILDING  
BOSTON, MASSACHUSETTS 02203-0001

November 12, 1998

Chris Stella, Compliance Manager  
Full Circle, Inc.  
509 Manida Street  
Bronx, New York 10474

Re: PCB Mega Rule

Dear Mr. Stella:

This is written in response to your letter dated November 2, 1998 requesting that EPA-New England respond to specific questions regarding PCB ballast recycling. EPA-New England is aware that Full Circle has also sent this request to EPA's other regional offices.

In order to provide you with one set of responses, EPA Headquarters will be responding to your questions. Should you have any questions regarding this matter, you should contact David Hannemann at (202) 260-3961.

Sincerely,

A handwritten signature in black ink, reading "Kimberly N. Tisa", is positioned above the typed name.

Kimberly N. Tisa  
Office of Ecosystem Protection

cc: D. Hannemann, EPA-HQ

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 500  
DENVER, CO 80202-2468

November 10, 1998

Ref:8P-P3T

Chris Stella  
Compliance Manager  
Full Circle, Inc.  
509 Manida Street  
Bronx, NY 19474

Dear Ms. Stella:

This is in response to your letter of November 2, 1998, regarding questions about the PCB Mega Rule and PCB ballast Recycling. This request has been forwarded to Headquarters to assure a coordinated and consistent response.

If you have questions, I can be reached at 303 312-6027.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan W. Bench", is written above the typed name.

Dan W. Bench  
Region VIII PCB Coordinator

cc Dave Hanneman





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JAN 4 1999

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Mr. Chris Stella  
Compliance Manager  
Full Circle, Inc.  
509 Manida Street  
Bronx, NY 10474

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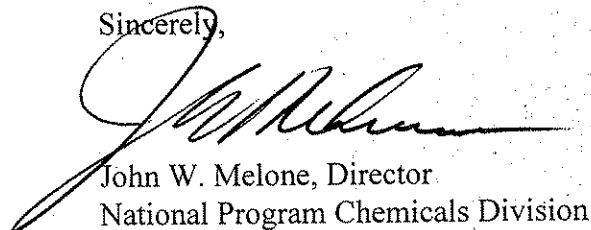


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Sincerely,



John W. Melone, Director  
National Program Chemicals Division

cc: Regional PCB Coordinators